PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

DeBenedetti, Arrigo, et al.

Paper No:

101611/507550

Serial No.

09/916,017

Group Art Unit:

1635

Filed:

July 26, 2001

Examiner:

J. Angell

For:

CANCER GENE THERAPY BASED ON TRANSLATIONAL CONTROL OF

A SUICIDE GENE

PATENT TRADEMARK OFFICE

AMENDMENT TRANSMITTAL

Box Non-Fee Amendment The Assistant Commissioner For Patents Washington, D.C. 20231

RECEIVED

OCT 3 1 2002

Dear Sir:

TECH CENTER 1600/2900

Transmitted herewith is an amendment for the above-captioned application.

Applicant is a

Small Entity Ø

Large Entity

Also enclosed are the following documents:

- Declaration of Arrigo DeBenedetti; 1.
- Declaration of Robert Rhoads, Ph.D.; and 2.
- Information Disclosure Statement, Form PTO-1449 and prior art references. 3.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(complete (a) or (b), as applicable)

(a) ⋈ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

Serial No.

Extension (months) one month two months three months four months	Fee for other than small entity \$ 110.00 400.00 920.00 1,440.00	Fee for small entity \$ 55.00 200.00 460.00 720.00 Fee: \$460.00

If an additional extension of time is required, please consider this a petition therefor.

_	An extension for months has already been secured. The fee paid therefore							
	All excension for							
	of \$ is deducted from the total fee due for the total months of							
	extension now requested.							

Extension fee due with this request \$_____

(b) \square Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for petition for extension of time.

FEE FOR CLAIMS

	Claims Remaining After Amendment	Number Ext Previously Paid For	Present Extra	Extra Entity	\$ Rate Large Entity	Add'l Fee \$63.00	
			7=				
Total 27		Minus **	18		X 42.00	\$ X 84.00	\$84.00
Indep. 5		Minus ***		2=	X 140.00	\$ +280.00	\$
□ First P	Presentation of Multiple Dependant Claim		n	Total Addt'l. Fee	\$ Total Addt'l. Fee	\$147.00	

- If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
- If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3". If the "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of the prior amendment or the number of claims originally filed.

(complete (c) or (d) as required)

Serial No.

- (c)

 No additional fee for claims is required.
- (d)

 ✓ Total additional fee for claims required \$147.00

FEE PAYMENT

- Attached is a check in the sum of \$607.00 covering the total additional fee for ☒ claims required.
- Please charge Frost Brown Todd LLC Account No. 06-2226 for the total fee due.

A duplicate of this transmittal is attached.

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

ARRIGO DeBENEDETT, et al

By.

Stephen R. Albainy-Jenei Registration No. 41,487 Attorney for Applicant(s) FROST BROWN TODD LLC 2200 PNC Center 201 East Fifth Street

Cincinnati, Ohio 45202

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(513) 651-6839

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to The Assistant Commissioner for Patents, Washington, D.C., 20231, this 24th day of October, 2002.

CINlibrary/1229641.1